

REMARKS

After entry of the foregoing claim amendments, claims 1-23 will be pending in the application. Claims 1, 2, 5, 6, 11-13, 17, 19, 20, 22 and 23 have been amended to further clarify the claimed invention. No new matter has been added. Claims 1, 17 and 22 are independent claims.

Claims 1-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 6,697,792 (“Bunney”) in view of U.S. Patent No. 6,647,257 (“Owensby”).

As amended, independent claim 1 recites, in part, a system to generate and deliver concentric user-targeted content to participating users, the system comprising an instruction set that operates on data from a data store to generate a preference for a participating user and operates on the generated preference to obtain a range of concentric content from a content data store such that said range of concentric content is correlated in varying degrees to the generated preference for the participating user.

As amended, independent claim 17 recites, in part, a computer implemented method to generate concentric user-targeted content for a participating user, the method comprising generating a preference for said participating user based on user data and matching the generated preference with content to generate a range of concentric user-targeted content that is matched to the generated preference for the participating user with varying degrees of certainty.

As amended, independent claim 22 recites, in part, a method to generate and deliver concentric user-targeted content comprising providing a computing application that cooperates with a data store and a content data store to generate a preference from a participating user’s profile information and content usage information, wherein the computing application processes the preference along with content from the content data store to determine a range of concentric user-targeted content, the range of concentric user-targeted content including content levels differing on a graduated basis.

As explained in the Background section of the present application, e-consumers often “do not receive information that truly matters to them during their e-shopping experience” (*Specification* at page 2, ll. 20-21). “Current online content is generally categorized in ‘content verticals’ – or more accurately, is aligned around a single, or a set of specific subject

matter areas (*Id.* at page 2, ll. 21-23). For example, if a user has a preference for the 76ers NBA® franchise, a content service provider may only offer basketball related content in response to the user's 76ers search (*Id.* at page 2, ll. 23-24).

Accordingly, a concentric user-targeted content delivery system 300 according to the claimed invention may generate a concentric user-targeted content range 500 (*Id.* at page 14, ll. 27-30). In one embodiment, as shown in FIG. 5, the concentric user-targeted content range 500 may include a primary concentric content offering 505, a secondary concentric content offering 510, and a tertiary concentric content offering 520 (*Id.* at page 14, ll. 29-31; page 15, ll. 1-2). For example, a participating user's profile information may indicate that the user is a dog owner and a SUV owner while the user's content usage history may indicate that the user recently requested travel content (*Id.* at page 15, ll. 3-6). If the user requests content relating to flea removal for pets, the concentric user-targeted content delivery system 300 may employ this information to generate a range of concentric content comprising a dog flea collar as the primary concentric content offering 505, a pet deodorizer for vehicles as the secondary concentric content offering 510, and a kennel shelter as the tertiary concentric content offering 520 (*Id.* at page 15, ll. 2-10). "By offering a range of concentric user-targeted content, the user is offered additional relevant content that is more representative of the user's preferences (through content usage and profile assimilation) *in totum*" (*Id.* at page 15, ll. 19-22).

In response to Applicant's previous reply dated August 28, 2006, the Examiner notes that "because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicant[s] main points of contention" (Office Action dated September 26, 2006 ("Office Action") at § 5). In particular, the Examiner contends that "[t]o respond to applicant[s] characterization of Bunney, new patent of Owens[by is] used in combination with Bunney to address the step of an instruction set that operates on a generated preference to obtain a range of concentric content from a content data store such that the range of content is correlated in varying degrees to the generated preference" (*Id.*). Applicant gratefully acknowledges the time and attention afforded by Examiner Gilles in considering Applicant's application.

As an initial matter, Applicant respectfully submits that Applicant's previous response did not characterize Bunney. Rather, Applicant's previous response explained what Bunney

discloses and, consequently, how Bunney's disclosure does not teach every limitation recited in the independent claims. In particular, Applicant noted that Bunney discloses a distribution server 1, which includes a target count unit 9 and a decision unit 8 (Bunney at col. 5, ll. 25-30; FIG. 1). The target count unit 9 generates and forwards a target count result to the decision unit 8, which compares the target count result to a predetermined threshold (*Id.* at col. 5, ll. 27-32). If the target count result is greater than the threshold value, information originating from content sources 2, 3 is distributed by the distribution server 1 via broadcast channel 16; otherwise, the information is distributed by means of a targeted transmission, such as over a network 6 (*Id.* at col. 5, ll. 38-53). Thus, Bunney's objective is "to provide for a technique for distributing information in a network in a particularly efficient way" (*Id.* at col. 2, ll. 37-39).

Accordingly, Applicant again respectfully submits that Bunney does not disclose an instruction set that operates on a generated preference to obtain a range of concentric content that is correlated in varying degrees to the generated preference (claim 1), matching a generated preference with content to generate a range of concentric user-targeted content that is matched to the generated preference with varying degrees of certainty (claim 17), or a computing application that processes a generated preference along with content to determine a range of concentric user-targeted content that includes content levels differing on a graduated basis (claim 22).

Owensby discloses a call management system 20, which includes an ad selection code generator 23 that generates an ad selection code (Owensby at col. 18, ll. 55-57; FIG. 3). The ad selection code includes the geographical location of a subscriber at the time of a call, the demographic and personal preference data for the subscriber, and the advertisements previously provided to the subscriber (*Id.* at col. 19, ll. 25-31). Once generated, the ad selection code is forwarded to a call routine generator 27, which embodies an algorithm that analyzes pre-selected advertisements stored in an ad content data 24 electronic database and predetermined criteria, or protocols, stored in an ad target data 25 electronic database (which define the range of acceptable characteristics of a targeted advertisement) for comparison with the ad selection code (*Id.* at col. 19, ll. 59-65). More specifically, the call routine generator 27, *inter alia*, compares a subscriber profile data 26 of the ad selection code against the acceptable subscriber profile protocols, such as the demographic, psychographic and

personal preference characteristics associated with the advertisements available from the ad content data 24 (*Id.* at col. 20, ll. 43-49). Since the subscriber profile data 26 comprises a number of characteristics, the call routine generator 27 compares each characteristic hierarchically to the protocols of the advertisements in a predetermined order and selects advertisements that meet the designated criteria (*Id.* at col. 20, ll. 49-53). Therefore, with respect to selecting targeted advertising, Owensby describes the use of targeted advertising protocols generally (*i.e.*, selecting advertisements by comparing the subscriber profile data 26 against acceptable subscriber profile protocols established by advertisers) but does not disclose that the selected advertisements are correlated in any manner with one another with respect to the characteristics in the subscriber profile data 26.

Accordingly, Applicant respectfully submits that Owensby does not supply the missing teachings of Bunney. Therefore, neither reference, either alone or in combination, discloses an instruction set that operates on a generated preference to obtain a range of concentric content that is correlated in varying degrees to the generated preference (claim 1), matching a generated preference with content to generate a range of concentric user-targeted content that is matched to the generated preference with varying degrees of certainty (claim 17), or a computing application that processes a generated preference along with content to determine a range of concentric user-targeted content that includes content levels differing on a graduated basis (claim 22).

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1, 17 and 22 patentably define over the cited references and, therefore, are allowable. As claims 2-16 depend from claim 1, claims 18-21 depend from claim 17, and claim 23 depends from claim 22, Applicant further submits that the dependent claims are also allowable for at least the reasons set forth above. Reconsideration of the Office Action and a Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Christos A. Ioannidi at (215) 564-8994, to discuss resolution of any remaining issues.

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Respectfully submitted,

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